



DEPARTMENT OF HEALTH & HUMAN SERVICES

National Institutes of Health
National Cancer Institute
Freedom of Information / Privacy Act Office
Bldg. 31, Room 10A48
9000 Rockville Pike, MSC 2580
Bethesda, Maryland 20892-2580
Ph: (301) 496-2999 Fax: (301) 435-2931

March 13, 2013

Michael Morisy
MuckRock News
DEPT MR 3360
PO Box 55819
Boston, MA 02205-5819

Re: NCI 13-055 FOIA Case No. 41112

Dear Mr. Morisy:

This acknowledges your March 12, 2013 Freedom of Information Act (FOIA) request which you submitted via e-mail to NCI FOIA. You requested "[c]opies of contracts with Booz Allen Hamilton over the past 5 years," and "[a]ny final reports generated and delivered by Booz Allen Hamilton to the agency over the past 5 years."

We will send you all material consistent with the exemptions recognized by the FOIA. It is Department of Health and Human Services (HHS) policy to expunge confidential commercial or financial information, evaluative material, and personal information such as social security numbers, individual salaries, labor rates, unexercised option year pricing and names of and identifying information about staff who are not listed as key personnel on the contract. If you feel that this information should not be excluded from the material, please write to me and I will consult with the NIH Freedom of Information Officer.

As you may be aware, Federal Law prohibits the disclosure of a technical proposal, see 41 U.S.C. § 4702, if it has not been incorporated into the final contract. If the proposal is referenced or included within the contract, we shall ask the successful offeror to advise us whether or not release of the material would adversely affect its competitive position. After receiving such advice, this office will make a decision regarding releasability of the material. While decisions to deny the release of any information are made by the NIH Freedom of Information Officer, we often find it is possible to work out a mutually acceptable approach with the requester and contractor.

We will do everything possible to comply with your request in a timely manner. Provisions of the FOIA allow us to recover part of the cost of complying with your request. We shall charge you for records in accordance with the HHS FOIA Regulations as they apply to news media requesters; i.e., you will be charged for duplication at 10-cents per page although the first 100 pages are free; there is no charge for search or review time. If there are any fees associated with processing this request, you will be sent an invoice with our final response. Please feel free to call me on 301-496-2999 for additional information or to inquire about the status of your request. You requested a fee waiver. Because we are uncertain that any applicable fees will exceed our minimum charge (\$25.00), we are not addressing your request for a fee waiver at this time. However, if we determine there will be fees associated with processing your request, we will contact you at that time.

Sincerely,

A handwritten signature in cursive script that reads "Vontella Mills".

Vontella Mills
Freedom of Information Specialist
NCI/OGCR/FOIA